

House File 2025 - Introduced

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BY HEDDENS and DEYOE

A BILL FOR

1 An Act relating to the payment of fees and expenses of
2 county medical examiners who perform autopsies or conduct
3 investigations of decedents who are out-of-state residents.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.802, subsection 2, paragraph c, Code
2 2016, is amended to read as follows:

3 c. (1) The fee and expenses of the county medical examiner
4 who performs an autopsy or conducts an investigation of a any
5 of the following persons shall be paid by the state:

6 (a) A person who dies after being brought into this state
7 for emergency medical treatment by or at the direction of an
8 out-of-state law enforcement officer or public authority ~~shall~~
9 be paid by the state.

10 (b) A person to whom subparagraph division (a) does
11 not apply, who dies after entering the state and who is an
12 out-of-state resident.

13 (2) A claim for payment under this paragraph "c" shall be
14 filed with the state appeal board and, if authorized by the
15 board, shall be paid out of moneys in the general fund of the
16 state not otherwise appropriated.

17 (3) For the purposes of this paragraph "c":

18 (a) "County medical examiner" includes the state medical
19 examiner, deputy state medical examiner, or deputy county
20 medical examiner when acting as the county medical examiner.

21 (b) "Out-of-state resident" means an individual who is not a
22 resident of the state of Iowa and includes an individual who is
23 not a citizen of the United States nor lawfully admitted into
24 the United States for permanent residence by the United States
25 immigration and naturalization service.

26 Sec. 2. ADOPTION OF RULES. The state medical examiner,
27 subject to the approval of the director of public health
28 pursuant to section 691.6, shall adopt administrative rules
29 pursuant to chapter 17A to implement this Act.

30 EXPLANATION

31 The inclusion of this explanation does not constitute agreement with
32 the explanation's substance by the members of the general assembly.

33 This bill provides that, in addition to payment by the
34 state of fees and expenses of a county medical examiner who
35 performs an autopsy or conducts an investigation of a person

1 who died after being brought into the state for emergency
2 medical treatment by or at the direction of an out-of-state
3 law enforcement officer or public authority, the state is also
4 required to pay such fees and expenses applicable to any other
5 decedent who is an out-of-state resident. Currently, under
6 641 IAC 127.4, if law enforcement or a public authority had
7 no involvement in bringing the person into the state, such
8 fees and expenses applicable to autopsies or investigations of
9 out-of-state residents are required to be paid by the county
10 of appointment. Under 641 IAC 127.1, "county of appointment"
11 means the county which requests a medical examiner to conduct
12 an investigation, perform or order an autopsy, or prepare
13 a report in a death investigation case. The request may
14 be authorized by the county attorney or the county medical
15 examiner. The county of appointment shall be the county in
16 which the death occurred.

17 For the purposes of the bill, "county medical examiner"
18 includes the state medical examiner, deputy state medical
19 examiner, or deputy county medical examiner when acting
20 as the county medical examiner and "out-of-state resident"
21 means an individual who is not a resident of the state of
22 Iowa and includes an individual who is not a citizen of the
23 United States nor lawfully admitted into the United States
24 for permanent residence by the United States immigration and
25 naturalization service.